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EXAMINER	
TRUONG, LOAN	
ART UNIT	**PAPER NUMBER**
2114	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	**Application No.** 10/686,087	**Applicant(s)** DAWSON ET AL.	
	Examiner LOAN TRUONG	**Art Unit** 2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 15 October 2003.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-31 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) 31 is/are allowed.

6)☒ Claim(s) 1-9, 11-17, and 21-30 is/are rejected.

7)☒ Claim(s) 10 and 18-20 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 15 October 2003 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 10 and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The examiner deem claims 10 and 18-20 as novel when read as a whole for the limitations of a signal bearing medium wherein the operations comprise:

of sending the data object from the first location to a fourth location and if the data object was successfully stored at the fourth location then add the second path information;

the locations are tape library; and

the second path information comprises a second source identifier, a fourth destination identifier and second time identifier.

2. Claim 31 is allowed.

The following is an examiner's statement of reasons for the allowance: The examiner deem claim 31 as novel when read as a whole for the limitations of a method for error tracking by sending the data object from the first location to a fourth location and when determination that the data object was successfully stored at the fourth location, adding the second path information to the meta data corresponding with the data object to update the meta data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In regards to claims 1-20, the claims are directed to signal bearing medium tangibly embodying a program of machine-readable instructions, which include transmission media such as analog communication links, which may be electrical, optical, and/or wireless (*See specification, page 10 first paragraph*). Therefore, the specified claims do not fall within the technological arts and is non-statutory. See MPEP § 2106. Examiner suggest applicant to amend claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 11-13, 16-17, 21 and 23-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagata et al. (US 6,269,083).

In regard to claim 1, Nagata et al. disclosed a signal bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method for error tracking, the method comprising the following operations:

sending a data object to a first location (*first OAM loopback cell disposed in communication device, fig. 1, 1, 1a, col. 4 lines 34-50)* ;

determining if the data object was successfully stored at the first location (*confirming a communication route by first returning and relaying means, fig. 1, 2a, col. 4 lines 34-50)*, and if so, storing meta data corresponding with the data object, wherein the meta data includes first path information (*returning the first OAM loopback cell received from a source together with its own location ID added thereto to the source, col. 4 lines 24-50)*;

sending the data object to a second location (*second OAM loopback cell, fig. 1, 1c, col. 4 lines 51-67)*; and

determining if the data object was successfully stored at the second location (*second returning and relaying means, fig. 1, 2b, lines 51-67)*, and if so, adding second path information to the meta data corresponding with the data object, to update the meta data (*second OAM loopback cell received from a source, together with its own* *communication route information added thereto to the source, col. 4 lines 51-67).*

In regard to claim 2, Nagata et al. disclosed the signal bearing medium of claim 1, wherein the operations further comprise:

detecting that the data object is corrupted (*loopback cell suffer a fault, fig. 10-11, col. 18, lines 14-26)*;

analyzing error logs for all devices included in the meta data corresponding with the data object (*analyze collected data fault, fig. 11, s12)*; and

identifying all devices included in the meta data corresponding with the data object that indicate an error in their error log (*exchange (A) can identify the location of the fault and analyze the cause of the fault, fig. 11, col. 18 lines 33-43).*

In regard to claim 3, Nagata et al. disclosed the signal bearing medium of claim 2, wherein the operations further comprise searching for an uncorrupted copy of the data object (*event of disconnection in the communication route, first OAM loopback cells are returned from those communication devices up to the circuit disconnection, col. 5 lines 33-35).*

In regard to claim 4, Nagata et al. disclosed the signal bearing medium of claim 2, wherein the operation of detecting that the data object is corrupted comprises examining a CRC base in data (*CRC-10, fig. 3).*

In regard to claim 5, Nagata et al. disclosed the signal bearing medium of claim 2, wherein the operations further comprise:

searching meta data corresponding with an additional data object to determine if any device identified has having an error in its error log is included in the meta data corresponding with the additional data object (*data management area for sn=0, sn=1, sn=n, fig. 4)*, and

if so: analyzing the additional data object to try to determine if the additional data object is corrupted (*traffic, performance and congestion information, fig. 4).*

In regard to claim 11, Nagata et al. disclosed the signal bearing medium of claim 1, wherein the operation of sending the data object to the second location comprises sending the data object from the first location to the second location (*set preceding location id to a, fig. 8, s1).*

In regard to claim 12, Nagata et al. disclosed the signal bearing medium of claim 1, wherein the operations further comprise:

sending the data object to a third location (*second OAM loopback cell delivering means, fig. 1, 1c)*; and

determining if the data object was successfully stored at the third location (*second returning and relaying means, fig. 1, 2b, col. 4 lines 51-67)*, and if so, adding third path information to the meta data corresponding with the data object, to update the meta data (*returning the second OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67).*

In regard to claim 13, Nagata et al. disclosed a signal bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method for error tracking, the method comprising the following operations:

sending a data object (*OAM loopback cell, col. 19 lines 48-54)* to a first location (*exchange C, fig. 14, 12)* and a second location (*exchange E, fig. 14, 51)* at substantially the same time (*exchange b sent OAM loopback cell to exchanges c-d and exchanges e-f, fig. 14, 12-14 and 51-52, col. 19 lines 48-54)*;

determining if the data object was successfully stored (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the first location (*exchange C, fig. 14, 12)* and the second location (*exchange E, fig. 14, 51)*, and if so, storing in a single meta data record (*data management area, fig. 4)* meta data corresponding with the data object (*sn number, fig. 4)*, wherein the meta data comprises first path information (*exchange C, sn=1 data management area, fig. 15, 55)* including a first source identifier (*source ID, fig. 3, 23d)*, a first destination identifier (*loopback location ID, fig. 3, 23c)*, and a second destination identifier (*loopback preceding ID, fig. 3, 23f)*;

sending the data object from the first location (*exchange C, fig. 14, 12)* to a third location (*exchange D, fig. 14, 14)*; and

determining if the data object was successfully stored at the third location (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)*, and if so, adding second path information to the meta data corresponding with the data object, to update the meta data (*returning OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67).*

> Furthermore, the limitation of sending a data object to a first and second location at the same time clearly shows in fig. 14 of an ATM network of point-to-multi-point paths which incorporates the ATM network communication route monitoring system according to the second embodiment which is similar to the first embodiment but differs in that two more exchanges are added (*fig. 14, col. 19 lines 30-39).*

In regard to claim 16, Nagata et al. disclosed a signal bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method for error tracking, the method comprising the following operations:

sending a data object (*OAM loopback cell, col. 19 lines 48-54)* to a first location (*exchange C, fig. 14, 12)* and a second location (*exchange E, fig. 14, 51)* at substantially the same time (*exchange b sent OAM loopback cell to exchanges c-d and exchanges e-f, fig. 14, 12-14 and 51-52, col. 19 lines 48-54)*;

determining if the data object was successfully stored (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the first location (*exchange C, fig. 14, 12)*, and if so, storing in a single meta data record (*data management area, fig. 4)*, meta data corresponding with the data object (*sn number, fig. 4)*, wherein the meta data includes first path information (*exchange C, sn=1 data* *management area, fig. 15, 55)* comprising a first source identifier *(source ID, fig. 3, 23d)* and a first destination identifier *(loopback location ID, fig. 3, 23c)*;

determining if the data object was successfully stored *(update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the second location *(exchange E, fig. 14, 51)*, and if so, also storing in the single meta data record *(data management area, fig. 4)*, additional meta data corresponding with the data object *(sn number, fig. 4)*, wherein the additional meta data includes additional first path information *(exchange C, sn=1 data management area, fig. 15, 55)* comprising a second destination identifier *(loopback preceding ID, fig. 3, 23f)*;

sending the data object from the first location *(exchange C, fig. 14, 12)* to a third location *(exchange D, fig. 14, 14)*; and

determining if the data object was successfully stored at the third location *(update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)*, and if so, adding second path information to the meta data corresponding with the data object, to update the meta data *(returning OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67)*.

In regard to claim 17, Nagata et al. disclosed a signal bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method for error tracking, the method comprising the following operations:

sending a data object (*OAM loopback cell, col. 19 lines 48-54)* to a first location (*exchange C, fig. 14, 12)*, a second location (*exchange E, fig. 14, 51)*, and a third location at substantially the same time (*exchange b sent OAM loopback cell to exchanges c-d and exchanges e-f, fig. 14, 12-14 and 51-52, col. 19 lines 48-54)*;

determining if the data object was successfully stored (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the first location (*exchange C, fig. 14, 12)*, and if so, storing in a single meta data record (*data management area, fig. 4)*, meta data corresponding with the data object (*sn number, fig. 4)*, wherein the meta data includes first path information (*exchange C, sn=1 data management area, fig. 15, 55)* comprising a first source identifier (*source ID, fig. 3, 23d)* and a first destination identifier (*loopback location ID, fig. 3, 23c)*;

determining if the data object was successfully stored (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the second location (*exchange E, fig. 14, 51)*, and if so, also storing in the single meta data record (*data management area, fig. 4)*, first additional meta data corresponding with the data object (*sn number, fig. 4)*, wherein the first additional meta data includes additional first path information (*exchange C, sn=1 data management area, fig. 15, 55)* comprising a second destination identifier (*loopback preceding ID, fig. 3, 23f)*; and

determining if the data object was successfully stored at the third location, and if so, also storing in the single meta data record, second additional meta data corresponding with the data object, wherein the second additional meta data includes additional first path information comprising a third destination identifier.

It is inherent that the second implementation of Nagata ATM network as shown in fig. 14 of point-to-multi-point paths is able to transmit OAM loopback cell to a third subscriber similar to the first embodiment with the addition of two more exchanges for each path *(fig. 14, col. 19 lines 30-39).*

In regard to claim 21, Nagata et al. disclosed a computing system, comprising:

a storage (*data management area, fig. 4, 25)*; and

a processing device coupled to the storage (*OAM cell controller, fig. 6, 37)*, wherein the processing device is programmed to perform operations for error tracking (*information collection controller, fig. 6, 38)*, the operations comprising:

sending a data object to a first location (*first OAM loopback cell disposed in communication device, fig. 1, 1, 1a, col. 4 lines 34-50)*;

determining if the data object was successfully stored at the first location (*confirming a communication route by first returning and relaying means, fig. 1, 2a, col. 4 lines 34-50)*, and if so, storing meta data corresponding with the data object, wherein the meta data includes first path information (*returning the first OAM loopback cell received from a source together with its own location ID added thereto to the source, col. 4 lines 24-50)*;

sending the data object to a second location (*second OAM loopback cell, fig. 1, 1c, col. 4 lines 51-67)*; and

determining if the data object was successfully stored at the second location (*second returning and relaying means, fig. 1, 2b, lines 51-67)*, and if so, adding second path information to the meta data corresponding with the data object, to update the meta data (*second OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67).*

In regard to claim 23, Nagata et al. disclosed the computing system of claim 21, wherein the operations further comprise:

detecting that the data object is corrupted (*loopback cell suffer a fault, fig. 10-11, col. 18, lines 14-26)*;

analyzing error logs for all devices included in the meta data corresponding with the data object (*analyze collected data fault, fig. 11, s12)*; and

identifying all devices included in the meta data corresponding with the data object that indicate an error in their error log (*exchange (A) can identify the location of the fault and analyze the cause of the fault, fig. 11, col. 18 lines 33-43).*

In regard to claim 24, Nagata et al. disclosed the computing system of claim 23, wherein the operations further comprise:

searching meta data corresponding with an additional data object to determine if any device identified has having an error in its error log is included in the meta data corresponding with the additional data object (*data management area for sn=0, sn=1, sn=n, fig. 4)*, and

if so: analyzing the additional data object to try to determine if the additional data object is corrupted (*traffic, performance and congestion information, fig. 4).*

In regard to claim 25, Nagata et al. disclosed a computing system, comprising:

a storage (*data management area, fig. 4, 25)*; and

a processing device coupled to the storage (*OAM cell controller, fig. 6, 37)*, wherein the processing device is programmed to perform operations for error tracking (*information collection controller, fig. 6, 38)*, the operations comprising:

sending a data object (*OAM loopback cell, col. 19 lines 48-54)* to a first location (*exchange C, fig. 14, 12)* and a second location (*exchange E, fig. 14, 51)* at substantially the same time (*exchange b sent OAM loopback cell to exchanges c-d and exchanges e-f, fig. 14, 12-14 and 51-52, col. 19 lines 48-54)*;

determining if the data object was successfully stored (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the first location (*exchange C, fig. 14, 12)* and the second location (*exchange E, fig. 14, 51)*, and if so, storing in a single meta data record (*data management area, fig. 4)*, meta data corresponding with the data object (*sn number, fig. 4)*, wherein the meta data comprises first path information (*exchange C, sn=1 data management area, fig. 15, 55)* including a first source identifier (*source ID, fig. 3, 23d)*, a first destination identifier (*loopback location ID, fig. 3, 23c)*, and a second destination identifier (*loopback preceding ID, fig. 3, 23f)*;

sending the data object (*OAM loopback cell, col. 19 lines 48-54)* from the first location (*exchange C, fig. 14, 12)* to a third location (*exchange D, fig. 14, 14)*; and

determining if the data object was successfully stored (*update sequence number and set preceding loopback location to current exchange location ID, fig. 8, s3)* at the third location (*exchange D, fig. 14, 14)*, and if so, adding second path information to the meta data corresponding with the data object, to update the meta data (*returning OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67).*

In regard to claim 26, Nagata et al. disclosed a computing system, comprising:

means for sending a data object to a first location (*first OAM loopback cell disposed in communication device, fig. 1, 1, 1a, col. 4 lines 34-50)*;

means for determining if the data object was successfully stored at the first location (*confirming a communication route by first returning and relaying means, fig. 1, 2a, col. 4 lines 34-50)*;

means for storing meta data corresponding with the data object, wherein the meta data includes first path information (*returning the first OAM loopback cell received from a source together with its own location ID added thereto to the source, col. 4 lines 24-50)*;

means for sending the data object to a second location (*second OAM loopback cell, fig. 1, 1c, col. 4 lines 51-67)*;

means for determining if the data object was successfully stored at the second location (*second returning and relaying means, fig. 1, 2b, lines 51-67)*;

means for adding second path information to the meta data corresponding with the data object, to update the meta data (*second OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67)*;

means for detecting that the data object is corrupted (*loopback cell suffer a fault, fig. 10-11, col. 18, lines 14-26)*;

means for analyzing error logs for all devices included in the meta data corresponding with the corrupted data object (*analyze collected data fault, fig. 11, s12)*; and

means for identifying all devices included in the meta data corresponding with the data object that indicate an error in their error log (*exchange (A) can identify the location of the fault and analyze the cause of the fault, fig. 11, col. 18 lines 33-43).*

In regard to claim 27, Nagata et al. disclosed a method for error tracking, comprising the following operations:

sending a data object to a first location (*first OAM loopback cell disposed in communication device, fig. 1, 1, 1a, col. 4 lines 34-50)*;

determining if the data object was successfully stored at the first location (*confirming a communication route by first returning and relaying means, fig. 1, 2a, col. 4 lines 34-50)*, and if so, storing meta data corresponding with the data object, wherein the meta data includes first path information (*returning the first OAM loopback cell received from a source together with its own location ID added thereto to the source, col. 4 lines 24-50)*;

sending the data object to a second location (*second OAM loopback cell, fig. 1, 1c, col. 4 lines 51-67)*; and

determining if the data object was successfully stored at the second location (*second returning and relaying means, fig. 1, 2b, lines 51-67)*, and if so, adding second path information to the meta data corresponding with the data object, to update the meta data (*second OAM loopback cell received from a source, together with its own communication route information added thereto to the source, col. 4 lines 51-67).*

In regard to claim 28, Nagata et al. disclosed the method of claim 27, wherein the operations further comprise:

detecting that the data object is corrupted (*loopback cell suffer a fault, fig. 10-11, col. 18, lines 14-26)*;

analyzing error logs for all devices included in the meta data corresponding with the data object (*analyze collected data fault, fig. 11, s12)*; and

identifying all devices included in the meta data corresponding with the data object that indicate an error in their error log (*exchange (A) can identify the location of the fault and analyze the cause of the fault, fig. 11, col. 18 lines 33-43).*

In regard to claim 29, Nagata et al. disclosed the method of claim 28, wherein the operations further comprise:

searching meta data corresponding with an additional data object to determine if any device identified has having an error in its error log is included in the meta data corresponding with the additional data object (*data management area for sn=0, sn=1, sn=n, fig. 4)*, and

if so: analyzing the additional data object to try to determine if the additional data object is corrupted (*traffic, performance and congestion information, fig. 4).*

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 6-9, 14-15, 22 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagata et al. (US 6,269,083) and in further view of Hatley (US 6,871,312).

In regard to claim 6, Nagata et al. teach the signal bearing medium of claim 1, wherein the first path information includes a time identifier and a destination identifier *(location id, fig. 3)*.

Nagata does not teach the signal bearing medium wherein the first path information includes a time identifier.

Hatley disclosed the apparatus for time stamping data transmit with data packets to network nodes.

> It would have been obvious to modify the circuit of a by adding b. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would allow networking devices to maximize the accuracy of time stamping data in networks (*col. 1 lines 41-53).*

In regard to claim 7, Nagata et al. teach the signal bearing medium of claim 1, wherein the second path information includes a date and time that the data object was stored at the second location, and a source identifier (*source id, fig. 3)*, and a destination identifier (*location id, fig. 3)*.

> Nagata et al. does not teach the signal bearing medium wherein the second path information includes a date and time that the data object was stored at the second location.
>
> Hatley disclosed the apparatus for time stamping data transmit with data packets to network nodes (*time counter that keeps an update of time to be inserted into the data packet, col. 6 lines 65-67 and col. 7 lines 48-53).* It is inherent that the date is needed to separate the time of one day to another.
>
> Refer to claim 6 for motivational statement.

In regard to claim 8, Nagata et al. disclosed the signal bearing medium of claim 7, wherein the second path information further includes information identifying at least one hardware device (*communication device, fig. 1, 1, 2, 3)* that is in the data path of the data object between the first location and the second location (*sn=0, sn=1, sn=n, fig. 2, 11-*

14)).

In regard to claim 9, Nagata et al. disclosed the signal bearing medium of claim 8, wherein the at least one hardware device includes a switch (*ATM switch unit, fig. 5).*

In regard to claim 14, Nagata et al. teach the signal bearing medium of claim 13, wherein the first path information (*exchange C, sn=1 data management area, fig. 15, 55)* further comprises a first time identifier.

> Nagata et al. does not teach the signal bearing medium comprises a first time identifier.
>
> Hatley disclosed the apparatus for time stamping data transmit with data packets to network nodes.
>
> Refer to claim 6 for motivational statement.

In regard to claim 15, Nagata et al. teach the signal bearing medium of claim 13, wherein the second path information (*exchange E, fig. 14, 51)* comprises a second source identifier (*source ID, fig. 3, 23d)*, a third destination identifier (*loopback preceding ID, fig. 3, 23f)*, and a second time identifier.

> Nagata et al. does not teach the signal bearing medium comprises a second time identifier.
>
> Hatley disclosed the apparatus for time stamping data transmit with data packets to network nodes.
>
> Refer to claim 6 for motivational statement.

In regard to claim 22, Nagata et al. teach the computing system of claim 21, wherein the second path information includes a date and time that the data object was stored at the second location, and a source identifier (*source id, fig. 3)*, and a destination identifier (*location id, fig. 3)*.

> Nagata et al. does not teach the signal bearing medium wherein the second path information includes a date and time that the data object was stored at the second location.
>
> Hatley disclosed the apparatus for time stamping data transmit with data packets to network nodes (*time counter that keeps an update of time to be inserted into the data packet, col. 6 lines 65-67 and col. 7 lines 48-53).* It is inherent that the date is needed to separate the time of one day to another.
>
> Refer to claim 6 for motivational statement.

In regard to claim 30, Nagata et al. disclosed the method of claim 27, wherein the second path information includes a date and time that the data object was stored at the second location, and a source identifier (*source id, fig. 3)*, and a destination identifier (*location id, fig. 3)*.

> Nagata et al. does not teach the signal bearing medium wherein the second path information includes a date and time that the data object was stored at the second location.
>
> Hatley disclosed the apparatus for time stamping data transmit with data packets to network nodes (*time counter that keeps an update of time to be inserted*

into the data packet, col. 6 lines 65-67 and col. 7 lines 48-53). It is inherent that the date is needed to separate the time of one day to another.

Refer to claim 6 for motivational statement.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loan Truong whose telephone number is (571) 272-2572. The examiner can normally be reached on M-F from 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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